



1 JW AF

KINNEY & LANGE

A PROFESSIONAL ASSOCIATION

THE KINNEY & LANGE BUILDING
312 SOUTH THIRD STREET
MINNEAPOLIS, MINNESOTA 55415-1002

INFO@KINNEY.COM

FACSIMILE (612) 339-6580

TELEPHONE (612) 339-1863

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Alan M. Koenck

(612) 337-9360

amkoenck@kinney.com

April 11, 2008

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Patent Application of Christopher M. Glenna
Appln. No. : 10/664,429
Filed : September 16, 2003
Title : Tape Roll Tab Application Method and Article
Docket No. : 54093US010

Dear Sir:

Enclosed for filing are the following papers in connection with the above-identified patent application:

1. Summary of Claimed Subject Matter (37 C.F.R. 41.37(c)(1)(v)) in Response to Notice of Non-Compliant Appeal Brief
2. Postcard

Respectfully submitted,

KINNEY & LANGE, P.A.

Alan M. Koenck

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Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor	Christopher M. Glenna	Appeal No.
Appln. No.	10/664,429	Group Art Unit: 1772
Filed	September 16, 2003	Examiner: N. Ahmad
Title	TAPE ROLL TAB APPLICATION METHOD AND ARTICLE	
Docket No.	54093US010	

**SUMMARY OF CLAIMED SUBJECT MATTER (37 C.F.R. 41.37(c)(1)(v))
IN RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF**

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I CERTIFY THAT THIS PAPER IS BEING SENT BY U.S. MAIL, FIRST CLASS, TO THE ASSISTANT COMMISSIONER FOR PATENTS, ALEXANDRIA, VA 22313, THIS 11 DAY OF

April, 2008.

Al Karl
PATENT ATTORNEY

This Summary of Claimed Subject Matter is submitted in an appeal from an Office Action dated January 3, 2006, in which claims 15-17 and 19-30 were finally rejected.

This Summary of Claimed Subject Matter is submitted in response to the Notice of Non-Compliant Appeal Brief mailed on March 19, 2008, which indicated that the Supplemental Appeal Brief filed on June 7, 2007 was non-compliant with the provisions of 37 C.F.R. 41.37(c)(1)(v) for failing to refer to the specification by page and line number in the concise explanation of the subject matter defined in each of the independent claims involved in the appeal. This Summary of Claimed Subject Matter includes references to the specification by page and line number. Therefore, it is respectfully submitted that this Summary of Claimed Subject Matter is compliant with the provisions of 37 C.F.R. 41.37(c)(1).

M.P.E.P. 1205.03 indicates that "When the Office holds the brief to be defective solely due to appellant's failure to provide a summary of the claimed subject matter as required by 37 CFR 41.37(c)(1)(v), an entire new brief need not, and should not, be filed. Rather, a paper providing a summary of the claimed subject matter as required by 37 CFR 41.37(c)(1)(v) will suffice." This paper accordingly includes only a summary of the claimed subject matter (with references to the

specification by page and line number), as required by 37 C.F.R. 41.37(c)(1)(v), and does not include the other sections of the brief.

Summary of Claimed Subject Matter

The present invention is a tape roll (20) that includes a central tape roll axis and a length of tape (22) circumferentially wound around the axis. The inward-facing side (26) of the tape is at least partially covered with pressure sensitive adhesive. See specification at page 5, line 30 – page 6, line 6. The tape roll also includes a tab (32) having an inward-facing side (38) that has a portion covered with pressure sensitive adhesive. See specification at page 7, lines 16-28. The adhesive portion of the inward-facing side of the tab is adhered to the outward-facing side (24) of the tape on a penultimate layer of the roll, so that the trailing end (34) of the tape overlays the tab between its ends. See, e.g., FIG. 3a; see specification at page 9, line 20 – page 10, line 25.

Independent claim 15 recites a tape roll comprising:

- a central tape roll axis,
- a length of tape (22) comprising a leading end, a trailing end (34) opposite the leading end, a first side (outward-facing side 24), and a second side (inward-facing side 26) opposite the first side, wherein the second side (26) of the tape is at least partially covered with pressure sensitive adhesive, and wherein the tape is circumferentially wound about the axis until a plurality of adjacent tape layers are wound, and

- a tab (32) having first and second opposite ends, a first side (outward-facing side 36), and a second side (inward-facing side 38) opposite the first side, wherein at least a portion (42) of the second side of the tab is covered with pressure sensitive adhesive,

- wherein the adhesive portion (42) of the second side (38) of the tab (32) is adhered to the first side (24) of the tape (22) on a penultimate layer of the roll so that the trailing end (34) of the tape overlays the tab (32) between the first and second ends of the tab. See, e.g., FIG. 3a; see specification at page 7, lines 16-28 and page 9, line 20 – page 10, line 25.

First Named Inventor: Christopher M. Glenna

Appln. No.: 10/664,429

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Dependent claim 16 recites the tape roll of claim 15, wherein the second side (38) of the tab (32) comprises:

- a non-adhesive portion (40) having first and second ends, the first end of the non-adhesive portion coinciding with the first end of the tab, and
- the adhesive portion (42) of the second side (38) of the tab having first and second ends, the first end of the adhesive portion being located adjacent to the second end of the non-adhesive portion, and the second end of the adhesive portion coinciding with the second end of the tab. See FIG. 3a; see specification at page 7, lines 16-28.

Respectfully submitted,

KINNEY & LANGE, P.A.

By: _____

Al Koenck
Alan M. Koenck, Reg. No. 43,724
THE KINNEY & LANGE BUILDING
312 South 3rd Street
Minneapolis, MN 55402-1002
Telephone: (612) 339-1863
Fax: (612) 339-6580

AMK